

101/002004/020020

**PATENT COOPERATION TREATY**

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION CONCERNING  
TRANSMITTAL OF COPY OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY  
(CHAPTER I OF THE PATENT COOPERATION  
TREATY)  
(PCT Rule 44bis.1(c))

Date of mailing (day/month/year)  
09 February 2006 (09.02.2006)

To:

GARDNER, Steven, J.  
Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101-2400  
ETATS-UNIS D'AMERIQUE

Applicant's or agent's file reference  
GP-161-00PCT

**IMPORTANT NOTICE**

International application No.  
PCT/US2004/023828

International filing date (day/month/year)  
23 July 2004 (23.07.2004)

Priority date (day/month/year)  
30 July 2003 (30.07.2003)

Applicant

GOOGLE INC. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

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FOR: JSG/MJT

DUE DATE: \_\_\_\_\_

ON: 2/16/06 BY: KF

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

**Yolaine Cussac**

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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference GP-161-00PCT	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/US2004/023828	International filing date ( <i>day/month/year</i> ) 23 July 2004 (23.07.2004)	Priority date ( <i>day/month/year</i> ) 30 July 2003 (30.07.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant GOOGLE INC.			

<ol style="list-style-type: none"> <li>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</li>   <li>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</li> </ol> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<ol style="list-style-type: none"> <li>3. This report contains indications relating to the following items:           <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> </li>   <li>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</li> </ol>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input checked="" type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. II	Priority																						
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 740 14 35</p>	<p>Date of issuance of this report 30 January 2006 (30.01.2006)</p> <p>Authorized officer <b>Yolaine Cussac</b> Telephone No. +41 22 338 70 80</p>
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**PATENT COOPERATION TREATY**

Bou-

From the  
INTERNATIONAL SEARCHING AUTHORITY

01/02

REC'D 25 NOV 2004

PCT

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To:

see form PCT/ISA/220

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**  
(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.  
PCT/US2004/023828

International filing date (day/month/year)  
23.07.2004

Priority date (day/month/year)  
30.07.2003

International Patent Classification (IPC) or both national classification and IPC  
G06F17/30

Applicant  
GOOGLE INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2004/023828

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material:
    - in written format
    - in computer readable form
  - c. time of filing/furnishing:
    - contained in the international application as filed.
    - filed together with the international application in computer readable form.
    - furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2004/023828

**Box No. II Priority**

1.  The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).  
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2.  This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-38
Inventive step (IS)	Yes: Claims	
	No: Claims	1-38
Industrial applicability (IA)	Yes: Claims	1-38
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item V.**

1. The following documents are referred to in this communication:  
D1 : US 6 453 315 B1 (WEISSMAN ADAM J ET AL) 17 September 2002 (2002-09-17)  
D2 : KERSCHBERG L ET AL: "A semantic taxonomy-based personalizable meta-search agent" CONFERENCE PROCEEDINGS ARTICLE, vol. 1, 3 December 2001 (2001-12-03), pages 41-50, XP010589037

**Objections under Article 6 PCT**

2. Under Article 6 PCT the claim shall define the matter for which protection is sought in a clear and concise manner. This is not the case in the present application therefore, the claim should be accordingly defined in terms of a single independent claim per category including all the essential features of the invention.

**Objections under Article 33(2) PCT**

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1-38 is not new in the sense of Article 33(2) PCT.

**3.1 INDEPENDENT CLAIM 1**

Document D1 discloses :

A method (column 1 lines 56 and 57, "The object ... invention,,,,"), comprising :  
- receiving a primary term representing a first concept to be added to a network of interrelated concepts (column 3 lines 10-14, "In the ... engine.");  
-receiving at least one related term associated with the primary term (column 3 lines 17-20, "For example ... States".");  
-receiving at least one relationship between the first concept and a second concept (column 3 lines 14-16, "One such ... relationships;");  
-receiving a strength value associated with the relationship (column 3 lines 55-57, "A value ... first." and "column 5 lines 52-55, "Manual ... ser."); and  
-adding the first concept to the network (column 3 lines 21-23, "From ... present.").

Since D1 discloses all the steps of claim 1 in combination, the subject-matter of claim 1 lacks novelty with respect to D1.

3.2 Dependent claims 2-11 do not contain any additional features which in combination

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2004/023828

with the features of any claim to which they refer, meet the requirements of the PCT with respect to novelty. (see the cited passages in the ISR).

**INDEPENDENT CLAIM 12**

3.3 The method claim 12 differs from the method claim 1 in that it defines subject-matter in terms of a method for **editing** concepts in a network of interconnected concepts. In D1 the lexicon can be updated to include new meanings (synsets, concepts) and to update connections for meanings already present in the lexicon, therefore the subject-matter of claim 12 lacks novelty with respect to D1.

3.4 The objections raised in respect to the dependent claims 2-11 also apply, mutatis mutandis to the corresponding dependent claims 13-19, which also lack novelty.

3.5 The subject-matter of claims 20-30 corresponds in terms of a computer readable medium comprising a computer program for implementing a method, with scope of protection equivalent to that of the method claims 1-11. The objections raised in respect to claims 1-11, therefore, also apply, mutatis mutandis, to the corresponding claims 20-30.

3.6 The subject-matter of claims 31-38 corresponds in terms of a computer readable medium comprising a computer program for implementing a method, with scope of protection equivalent to that of the method claims 12-19. The objections raised in respect to claims 1-11, therefore, also apply, mutatis mutandis, to the corresponding claims 20-30.

3.7 The attention of the applicant is drawn to the fact that document D2 cited in the international search report is regarded as very relevant state of the art in the sens of Article 33(2) for claims 1,12,20 and 31 and in the sens of Article 33(3) PCT for claims 2-11,13-19,21-30,32-38.